

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BARRY A. EVERETT,)	
)	
Plaintiff,)	Civil Action No. 08-1098
)	
v.)	Chief Judge Ambrose
)	Magistrate Judge Bissoon
JOHN H. FORADORA, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Barry A. Everett's action seeking a writ of prohibition was filed on August 5, 2008, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The case has been reassigned to Magistrate Judge Bissoon effective August 1, 2008.

The Magistrate Judge's Report, filed on August 12, 2008, recommended that this action be dismissed in be dismissed in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A. The parties were allowed ten days from the date of service to file objections. Service of the Report was made by First Class United States Mail on the Plaintiff at his place of incarceration, the State Correctional Institution at Cresson. Objections were due on or before August 28, 2008. No objections have been filed.

After de novo review of the pleadings and documents in the

case, together with the Report and Recommendation, the following
ORDER is entered:

AND NOW, this 8th day of Sept., 2008,

IT IS HEREBY ORDERED that this action is DISMISSED. The
Clerk is directed to mark this case CLOSED.

The Report and Recommendation of Magistrate Judge Bissoon,
(Doc. 2), dated August 12, 2008, is adopted as the opinion of the
court.

s/Donetta Ambrose
Donetta Ambrose
Chief U.S. District Court Judge

cc:
BARRY A. EVERETT, GD-6254
SCI Cresson
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